

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENNETH D. WHITE,

Defendant.

Case No. 20-CR-40051-SPM

ORDER

McGLYNN, District Judge:

Following a jury trial, defendant Kenneth D. White (“White”) was convicted of one count of Travel with Intent to Engage in Illicit Sexual conduct in violation of 18 U.S.C. § 2423(b) (Doc. 50). On July 23, 2021, White was sentenced to 151 months in the Bureau of Prisons to be followed by 8 years of supervised release (Doc. 73).

On August 1, 2021, White filed a Motion for Leave to Appeal *in Forma Pauperis* (“IFP”), along with sealed financial affidavit in support of IFP (Docs. 80, 81). On that date, White also filed a Motion to Appoint Counsel (Doc. 82).

A motion for leave to appeal IFP is governed by the Criminal Justice Act, 18 U.S.C. § 3006A. The only inquiry that is relevant is defendant’s financial ability to retain counsel. *United States v. Dunham*, 922 F.3d 847 (7th Cir. 2019) (Wood, C.J., in chambers). White has provided necessary details regarding his financial condition, from which the Court finds that he is indigent and unable to retain counsel (Doc. 81).

Accordingly, his Motion for Leave to Proceed on Appeal IFP is **GRANTED**.

Seventh Circuit Rule 51(a) concerns the withdrawal of trial counsel and appointment of appellate counsel. Thus, the Court denies for lack of jurisdiction the request for appointment of counsel on appeal (Doc. 82).

IT IS SO ORDERED.

DATED: August 10, 2021

/s/ Stephen P. McGlynn
STEPHEN P. McGLYNN
U.S. District Judge